

OPINION 1340

ATTUS OTIOSUS HENTZ, 1846 (ARACHNIDA, ARANEAE):
CONSERVED

RULING. — (1) Under the plenary powers:

- (a) the specific name *pulcher* Walckenaer, 1837, as published in the binomen *Attus pulcher*, is hereby suppressed for the purposes of the Principle of Priority but not for those of the Principle of Homonymy;
- (b) the species-group names *pulcher pallida* Walckenaer, 1837, and *peregrinus* Walckenaer, 1837, as published in the trinomen *Attus pulcher pallida* and the binomen *Attus peregrinus*, are hereby suppressed for the purposes of the Principle of Priority but not for those of the Principle of Homonymy.

(2) The specific name *otiosus* Hentz, 1846, as published in the binomen *Attus otiosus* is hereby placed on the Official List of Specific Names with the Name Number 2998.

(3) the specific and subspecific names *pulcher* Walckenaer, 1837, *pulcher pallida* Walckenaer, 1837, and *peregrinus* Walckenaer, 1837 as published in the combinations *Attus pulcher*, *Attus pulcher pallida* and *Attus peregrinus* and as suppressed under the plenary powers in (1)(a) and (1)(b) above, are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers 1154, 1155 and 1156 respectively.

HISTORY OF THE CASE Z.N.(S.)2355

An application for the conservation of *Attus otiosus* Hentz, 1846 was first received from Dr G. B. Edwards (*Florida Department of Agriculture and Consumer Services, U.S.A.*) on 17 July 1980. After some correspondence a revised draft was sent to the printers on 24 February 1981 and published in *Bull. zool. Nom.*, vol. 39, pp. 64–66. Public notice of the possible use of the plenary powers in the case were given in the same part of the *Bulletin* as well as to the statutory serials, to seven general and three arachnological serials. Support for the case was received from Dr Bruce Cutler (*Minnesota, U.S.A.*) and was published in *Bull. zool. Nom.*, vol. 40, p. 19. No other comment was received.

DECISION OF THE COMMISSION

On 15 January 1985 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (1985)5 for or against the proposals set out in *Bull. zool. Nom.* vol. 39, p. 65. At the close of the voting period on 15 April 1985 the state of the voting was as follows:

Affirmative Votes—twenty-one (21) received in the following order: Melville, Brinck, Holthuis, Savage, Lehtinen, Willink, Sabrosky, Trjapitzin, Hahn, Mroczkowski, Cocks, Starobogatov, Bayer, Alvarado, Corliss, Uéno, Schuster, Kraus, Heppell, Bernardi, Ride

Negative Votes—two (2) received in the following order: Cogger, Dupuis.

Late affirmative votes were returned by Halvorsen and Binder.

The following comments were returned by members of the Commission with their voting papers:

Holthuis: 'On p. 65 of the application, in para. 4(1)(b) line 1 the words "specific names" should be read either as "specific and subspecific names" (as in para. 4(3), line 1) or as "species-group names". Under the present wording *pallida* will not be suppressed.' [This point was acknowledged by the Secretary and corrected in the present ruling].

Cogger: 'Neither the original proposal nor Dr Cutler's supportive comments convince me that the application of the Principle of Priority would cause such inconvenience as to justify the use of the plenary powers to suppress three species-group names.'

Ride: 'Relative frequency of usage alone is not sufficient to justify the use of the plenary powers. However, despite the fact that the action of Chamberlin & Ivie (1944) occurred before Art. 23b was introduced, the case is so obviously one for which Art. 23(b) was legislated to cover, that I consider the Commission is justified in treating it in that manner.'

Dupuis: 'L'indubitable filiation des travaux de Abbot (étude pionnière), de Walckenaer (classique de l'arachnologie) et de Chamberlin & Ivie (révision importante) me paraît devoir l'emporter sur la considération d'usages récents dans des "popular books".'

ORIGINAL REFERENCES

The following are the original references for the names placed on an Official List and an Official Index by the ruling given in the present Opinion:

otiosus, *Attus*, Hentz, 1846, *Boston J. nat. Hist.*, vol. 5, p. 356

pallida, *pulcher*, *Attus*, Walckenaer, 1837, *Histoire naturelle des insectes aptères*, Paris, vol. 1, p. 439

peregrinus, *Attus*, Walckenaer, 1837, *ibid.*, p. 445

pulcher, *Attus*, Walckenaer, 1837, *ibid.*, p. 439

CERTIFICATE

I hereby certify that the votes cast on Voting Paper (85)5 were cast as set out above, that the proposals contained in that voting paper have been duly adopted under the plenary powers, and that the decision so taken,

being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1340.

R. V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

15 May 1985